

NATURAL RESOURCES

Budget Summary						FTE Position Summary				
Fund	2022-23 Adjusted Base	Governor		2023-25 Change Over Base Year Doubled		2022-23	Governor		2024-25 Over 2022-23	
		2023-24	2024-25	Amount	%		2023-24	2024-25	Number	%
GPR	\$94,500,100	\$187,879,400	\$99,744,300	\$98,623,500	52.2%	222.52	225.52	225.52	3.00	1.3%
FED	90,230,800	94,503,700	94,321,800	8,363,900	4.6	531.34	527.34	526.34	- 5.00	- 0.9
PR	35,129,100	32,575,800	32,590,500	- 5,091,900	- 7.2	241.89	222.14	222.14	- 19.75	- 8.2
SEG	<u>347,565,900</u>	<u>393,552,500</u>	<u>399,849,900</u>	<u>98,270,600</u>	14.1	<u>1,557.68</u>	<u>1,595.43</u>	<u>1,595.43</u>	<u>37.75</u>	2.4
TOTAL	\$567,425,900	\$708,511,400	\$626,506,500	\$200,166,100	17.6%	2,553.43	2,570.43	2,569.43	16.00	0.6%
BR			\$46,000,000							

Budget Change Items

Departmentwide

1. STANDARD BUDGET ADJUSTMENTS

Governor: Provide adjustments to the base budget as follows:

(a) -\$3,864,300 annually for reductions due to staff turnover (-\$437,700 GPR, -\$598,200 FED, -\$125,300 PR, and -\$2,703,100 SEG); (b) -\$584,700

and -8.0 positions in 2023-24 (-\$270,800 and -4.0 FED positions, -\$158,300 and -2.0 PR positions, and -\$155,600 and -2.0 SEG positions) and -\$790,900 and -9.0 positions in 2024-25 (-\$452,700 and -5.0 FED positions, -\$182,600 and -2.0 PR positions, and -\$155,600 and -2.0 SEG positions) for removal of non-continuing elements from the base; (c) \$8,786,900 annually for full funding of continuing position salaries and fringe benefits (\$847,900 GPR, \$5,222,300 FED, -\$233,000 PR, and \$2,949,700 SEG); (d) \$31,900 annually for reclassification and semi-automatic pay increases (\$8,200 GPR, \$5,400 FED, \$9,300 PR, and \$9,000 SEG); (e) \$3,180,000 annually for overtime (\$8,000 PR and \$3,172,000 SEG); (f) \$224,000 SEG annually for night and weekend differential pay; and (g) -\$253,700 annually for full funding of leases and directed moves (-\$444,000 GPR, -\$85,800 FED, and \$276,100 SEG).

GPR	- \$51,200
FED	8,363,900
PR	- 1,022,900
SEG	<u>7,544,200</u>
Total	\$14,834,000

2. LIMITED-TERM EMPLOYEE COMPENSATION

Governor: Provide \$1,510,600 (\$59,000 GPR, \$34,300 environmental SEG, and \$1,417,300 conservation SEG) annually to fully

GPR	\$118,000
SEG	<u>2,903,200</u>
Total	\$3,021,200

fund limited-term employee (LTE) wages and fringe benefits. The provision would increase base level funding for LTE salaries by \$1,205,000 (\$47,100 GPR, \$27,300 environmental SEG, and \$1,130,600 conservation SEG), and base level fringe benefit allotments by \$305,600 (\$11,900 GPR, \$7,000 environmental SEG, and \$286,700 conservation SEG). The budget system would allot \$42,600 conservation SEG to the supplies and services line, rather than the fringe benefit allotment. A modification would be needed to correct this. The table shows annual funding by subprogram and fund source.

Limited-Term Employee Compensation

	<u>Salaries</u>	<u>Fringe Benefits</u>	<u>Total</u>
GPR			
<i>Environmental Management</i>			
Water Quality	\$47,100	\$11,900	\$59,000
SEG			
<i>Fish, Wildlife and Parks</i>			
Wildlife Management	\$249,600	\$63,300	\$312,900
Southern Forests	69,600	17,600	87,200
Parks	180,700	45,800	226,500
Natural Heritage Conservation	82,200	20,800	103,000
Fisheries Management	314,200	79,700	393,900
Property and Recreation Management	66,600	16,900	83,500
<i>Forestry</i>			
	\$116,900	\$29,700	\$146,600
<i>Public Safety and Resource Protection</i>			
	\$8,100	\$2,100	\$10,200
<i>Environmental Management</i>			
Remediation and Redevelopment	\$27,300	\$7,000	\$34,300
<i>External Services</i>			
Customer Service	<u>\$42,700</u>	<u>\$10,800</u>	<u>\$53,500</u>
SEG Subtotal	\$1,157,900	\$293,700	\$1,451,600
Total	\$1,205,000	\$305,600	\$1,510,600

3. DEBT SERVICE REESTIMATE

GPR	\$4,552,300
SEG	<u>118,800</u>
Total	\$4,671,100

Governor: Provide \$3,048,200 (\$4,355,000 GPR and -\$1,306,800 SEG) in 2023-24 and \$1,622,900 (\$197,300 GPR and \$1,425,600 SEG) in 2024-25 to reestimate debt service payments on bonds issued for various DNR programs, as shown in the following table:

DNR Debt Service Reestimates -- Governor

		<u>2023-24</u>		<u>2024-25</u>	
	<u>Base</u>	<u>Change to Base</u>	<u>Reestimate</u>	<u>Change to Base</u>	<u>Reestimate</u>
GPR					
Stewardship and predecessors	\$52,670,000	\$4,564,900	\$57,234,900	\$517,800	\$53,187,800
Combined sewer overflow	278,500	-79,700	198,800	-237,600	40,900
Municipal clean drinking water grants	2,300	-800	1,500	-2,000	300
Administrative facilities	<u>537,200</u>	<u>-129,400</u>	<u>407,800</u>	<u>-80,900</u>	<u>456,300</u>
GPR Subtotal	\$53,488,000	\$4,355,000	\$57,843,000	\$197,300	\$53,685,300
SEG					
<i>Conservation Fund</i>					
Dam repair and removal	\$135,100	-\$72,600	\$62,500	-\$66,700	\$68,400
Administrative facilities	6,511,400	-89,700	6,421,700	631,300	7,142,700
Land Acquisition	100	-100	0	-100	0
Recreation Development	<u>0</u>	<u>81,100</u>	<u>81,100</u>	<u>115,100</u>	<u>115,100</u>
Conservation Fund SEG Subtotal	\$6,646,600	-\$81,300	\$6,565,300	\$679,600	\$7,326,200
<i>Environmental Fund</i>					
Remedial action	\$1,346,900	\$86,800	\$1,433,700	\$416,600	\$1,763,500
Contaminated sediment cleanup	1,955,200	-20,500	1,934,700	54,200	2,009,400
Rural nonpoint source grants - priority watershed program	3,473,300	-787,300	2,686,000	-1,359,200	2,114,100
Rural nonpoint source grants - targeted runoff management	2,676,600	318,600	2,995,200	2,193,200	4,869,800
Urban nonpoint source	3,219,800	-150,900	3,068,900	707,300	3,927,100
Water pollution abatement	1,504,100	-605,100	899,000	-1,260,300	243,800
Administrative facilities	<u>1,199,800</u>	<u>-67,100</u>	<u>1,132,700</u>	<u>-5,800</u>	<u>1,194,000</u>
Environmental Fund SEG Subtotal	\$15,375,700	-\$1,225,500	\$14,150,200	\$746,000	\$16,121,700
SEG Total	\$22,022,300	-\$1,306,800	\$20,715,500	\$1,425,600	\$23,447,900
All Funds Total	\$75,510,300	\$3,048,200	\$78,558,800	\$1,622,900	\$77,133,200

4. DOCUMENT DIGITIZING

GPR	\$1,575,600
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Governor: Provide one-time funding of \$723,700 in 2023-24 and \$851,900 in 2024-25 to convert DNR paper records into digital format. The Administration indicates that funding would be utilized to lease scanner machines and hire LTEs to scan and organize records.

5. AGENCY SUPPLIES AND SERVICES FUNDING INCREASE

GPR	\$215,800
SEG	<u>4,255,800</u>
Total	\$4,471,600

Governor: Provide \$107,900 GPR and \$2,127,900 SEG annually to increase agency supplies and services funding. According to the Administration, the amounts represent a 5% increase to supplies and services funding for certain annual GPR and SEG state operations appropriations. The proposed increases would be provided to appropriations that meet the following criteria: (a) in 2021-22, the agency expended 95% or more of the amount budgeted for supplies and services; and (b) for the 2023-25 biennium, no other additional supplies and services funding is being proposed for a similar purpose. The table below

depicts additional annual funding recommended by DNR division, program or appropriation, and fund source.

DNR Supplies and Services Annual Funding Increase

<u>Appropriation/Program Area</u>	<u>Amount by Fund Source</u>				<u>Total Adjustment</u>
	<u>GPR</u>	<u>Conservation SEG</u>	<u>Environmental SEG</u>	<u>Other SEG</u>	
Fish, Wildlife, and Parks					
Wildlife management		\$184,000			\$184,000
Fisheries management		234,700			234,700
Southern forests		42,500			42,500
Parks		138,000			138,000
State snowmobile trails and areas		10,000			10,000
State all-terrain vehicle areas		28,900			28,900
Forestry					
Forestry		573,900			573,900
Forestry curriculum		17,500			17,500
Public Safety and Resource Protection					
Boat enforcement and safety		28,700			28,700
All-terrain vehicle enforcement		21,200			21,200
General program operations	\$5,500	188,900	\$10,700		205,100
Environmental Management					
Drinking and Groundwater	2,300		25,200		27,500
Water Quality	11,700		5,600		17,300
Air Management			300		300
Waste and Materials Management	1,900		2,400		4,300
Remediation and Redevelopment	2,500		4,800		7,300
Division Management	1,000		11,100		12,100
Nonpoint Source Administration			700		700
Recycling Administration			9,300		9,300
Internal Services					
Administration		6,500	300		6,800
Legal Services	100	3,500	900	300	4,800
Finance	3,500	76,800	20,100		100,400
Management and Budget		1,600			1,600
Facility and Property Services		24,400			24,400
Information Technology	1,900	9,600	4,000	1,200	16,700
Human Resources	9,600	91,600	2,200		103,400
Division Management	2,400	46,100	27,700		76,200
Rent Costs	42,300	114,500	66,000	59,200	282,000
External Services					
Watershed Management	7,100		20,000		27,100
Waterways and Wetlands	6,900				6,900
Office of Communications	100		2,300	100	2,500
Community Financial Assistance	700		300		1,000
Environmental Analysis and Sustainability	6,200		4,600	900	11,700
Division Management	500			500	
Customer Service	1,700		300		2,000
Animal Feeding Operations			3,300		3,300
Water Resources -- Public Health		<u>1,200</u>			<u>1,200</u>
Totals	\$107,900	\$1,844,100	\$222,100	\$61,700	\$2,235,800

6. EQUITY OFFICER POSITION

	Funding	Positions
SEG	\$177,100	1.00

Governor: Provide \$77,500 in 2023-24 and \$99,600 in 2024-25 from conservation SEG with 1.0 position annually to create an agency equity officer position. The agency equity officer would be responsible for collaborating with the chief equity officer in the Department of Administration (DOA) and with other agency equity officers to identify opportunities to advance equity in government operations. [See "Administration -- General Agency Provisions."]

7. SNOWMOBILE AUTOMATED REPORTING SYSTEM MAINTENANCE

SEG	\$20,000
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Governor: Provide \$10,000 conservation SEG annually to fund routine maintenance to the Snowmobile Automated Reporting System (SNARS). SNARS provides publicly accessible, real-time data on the conditions and grooming status of the state's network of snowmobile trails. DNR relies on counties to report trail conditions and grooming activity and to provide geographic information systems (GIS) data on county trails to SNARS. Additionally, SNARS provides an interface for counties to report volunteer hours, grant expenses, and to seek reimbursement for trail maintenance and grooming. The bill would increase base level for snowmobile aids administration to fund estimated contract expenses to maintain the system and provide technical support.

8. OFF-HIGHWAY MOTORCYCLE REESTIMATE

SEG	\$39,800
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Governor: Reestimate off-highway motorcycle (OHM) revenues by \$19,900 annually. All OHM registration revenues are deposited in the state transportation fund. An annual transfer equal to the total amount of OHM registration fees received by the Department of Transportation (DOT) in the previous fiscal year is made from a sum sufficient GPR appropriation to the OHM account of the SEG conservation fund. The OHM transfer and other OHM revenues, such as nonresident trail passes, may be used to acquire, develop, and maintain OHM trails and recreations facilities. The bill would estimate the transfer at \$80,000 in each year of the biennium.

9. SOLAR ENERGY REVIEW STAFFING

	Funding	Positions
PR	\$145,100	1.00

Governor: Provide \$62,800 in 2023-24 and \$82,300 in 2024-25 and 1.0 four-year project position in the External Services Bureau of Environmental Analysis and Sustainability for solar energy review. The Administration indicates that the position would assist with reviewing and permitting an anticipated increase in solar energy projects that would be supported by an interagency funding agreement with the Public Service Commission (PSC).

10. TRANSPORTATION PROJECT REVIEW STAFFING

PR	\$145,100	1.00
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Governor: Provide \$62,800 in 2023-24 and \$82,300 in

2024-25 with 1.0 position for transportation project review. The Administration anticipates increases in transportation infrastructure funding from the Bipartisan Infrastructure Law (BIL), requiring environmental reviews beyond current workload. The position would be permanent, replacing a current LTE appointment, which the Administration indicates has experienced high turnover due to its impermanence.

11. TRANSPORTATION PERMIT DATABASE

SEG	\$200,000
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Governor: Provide \$150,000 in 2023-24 and \$50,000 in 2024-25 from the environmental management account of the environmental fund to contract information technology (IT) services to develop and maintain a transportation permit database. The Administration indicates that the database would support the DNR-DOT cooperative agreement that has been in effect since 1976, by tracking and reporting project milestones and program metrics, and by centralizing records for improved staff access.

12. TRIBAL RELATIONS PILOT PROGRAM

GPR	\$25,000
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Governor: Provide \$25,000 in 2023-24 as one-time funding for a tribal relations pilot program. The administration reports that the program would develop a DNR database for tribal officials to submit requests and file concerns with the Department.

13. EXTERNAL SERVICES REALLOCATION

Governor: Convert 2.0 PR waterways positions and \$174,000 PR annually to GPR. Additionally, convert 2.0 GPR customer service positions to conservation SEG. The difference in salary and fringe benefits for the positions result in net increase in GPR funding of \$64,300 annually. DNR indicates that funding for the 2.0 PR waterways positions, transferred by DOA from the federal Coastal Zone Management program, has decreased and cannot support the positions.

	Funding	Positions
GPR	\$128,600	0.00
PR	- 348,000	- 2.00
SEG	<u>219,400</u>	<u>2.00</u>
Total	\$0	0.00

14. INFORMATION TECHNOLOGY POSITIONS TRANSFER

Governor: Transfer 13.0 information and technology services positions and funding from various programs, shown in the following table, to the technology services program in the Division of Internal Services. While some positions would be transferred between appropriations rather than reallocated within appropriations, no positions would be transferred between fund sources. All amounts are on an annual basis.

Information Technology Positions Transfer -- Governor's Recommendation

<u>Program</u>	<u>Positions</u>	<u>Fund Source</u>	<u>Amount</u>
Forestry	3.00	SEG	\$460,100
Air Management	2.00	PR	192,600
External Services Division Management	1.00	SEG	156,400
Customer Outreach	1.00	SEG	156,400
Environmental Management Division Management	1.00	PR	155,200
Fish, Wildlife, & Parks Division Management	1.00	SEG	155,200
Finance	0.50	SEG	51,700
	0.50	FED	51,600
Southern Forests	1.00	SEG	89,200
Waterways and Wetlands	1.00	GPR	89,200
Remediation and Redevelopment	<u>1.00</u>	GPR	<u>82,300</u>
Total	13.00		\$1,639,900

15. TRANSFERS WITHIN APPROPRIATIONS

Governor: Transfer positions and funding between budgetary subprograms or budgetary purposes within the same appropriation as described in the following paragraphs to reflect current allocations of program funding and responsibilities in the division indicated.

Environmental Management. Move 0.46 petroleum inspection fund SEG position from drinking and groundwater to remediation and redevelopment to correct a discrepancy between the state human resources management and budget systems.

External Services. Move 1.0 GPR section leader position from waterways to external services leaders to align the position within division leadership. Transfer 1.0 PR position from waterways and wetlands to environmental analysis and sustainability.

Parks

1. PARK AND FOREST DEVELOPMENT AND MAINTENANCE

GPR	\$3,613,400
SEG	<u>18,191,800</u>
Total	\$21,805,200

Governor: Provide \$11,402,600 (\$1,806,700 GPR and \$9,595,900 conservation SEG) in 2023-24 and \$10,402,600 (\$1,806,700 GPR and \$8,595,900 SEG) in 2024-25 for state park, forest, and recreation area maintenance and development. The \$10.4 million in 2024-25 would be added to the agency base in continuing appropriations. \$1,500,000 SEG would be provided as one-time funding in a continuing appropriation in 2023-24. The bill would fund projects on the parks and forest maintenance backlog.

2. CAMPSITE ELECTRIFICATION

SEG	\$2,925,000
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Governor: Increase the statutory cap on the percent of state park campsites that may be electrified from 35% to 40%. Provide \$2,925,000 conservation SEG as one-time funding in 2024-25, including \$1,316,300 from the parks account and \$1,608,700 from the forestry account, to provide electrical service to sites. DNR estimates that it costs \$8,500 to electrify each site. However, this amount is projected to rise to \$14,400 per site by the end of the 2023-25 biennium under the current inflationary environment. Therefore, the bill would fund electrification for approximately 200 additional sites.

Under current law, no more than 35% of campsites in state parks may have electrical outlets. There are 3,956 campsites in state parks; 34.8%, 1,378, are electrified. Under current law, DNR may electrify an additional seven sites before the cap is met. The bill would allow an additional 198 sites to be electrified. Campsite reservations for electrified sites cost between \$10 and \$15 more than for non-electrified sites.

[Bill Section: 608]

3. PARKS LIMITED-TERM EMPLOYEE STAFFING

SEG	\$2,191,000
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Governor: Increase general operations funding for state parks and recreational areas by \$1,095,500 annually. The bill would provide an additional \$1,000,700 annually for LTE salaries and fringe benefits in property and recreation management. The Administration reports that these funds would be used to hire additional LTEs and custodial contractors to work on education initiatives, maintenance and operations, and customer service. DNR has experienced recruitment and retention issues in recent years as LTE funding and compensation have risen slower than market wage rates. Since 2020, state parks and recreation areas have seen rapid growth in attendance, putting stresses on existing staff and facilities. The bill would also provide \$94,800 annually for LTE salaries and fringe benefits for parks interpretive staff.

4. PARKS UTILITY FUNDING

SEG	\$872,500
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Governor: Provide \$431,900 in 2023-24 and \$440,600 in 2024-25 for parks and southern forests general program operations to reflect increased utility costs. DNR reports that rising costs for water, gas, electricity, and cellular service have raised utility costs at state parks. The provision is intended to account for increased costs that could otherwise require reallocating funding from other parks program areas.

5. PARKS MAINTENANCE EQUIPMENT

SEG	\$700,000
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Governor: Provide \$350,000 conservation SEG annually, including \$100,000 from the forestry account and \$250,000 from the parks account, to provide funding for a multi-year maintenance equipment replacement effort. Funding would be used to replace outdated lawnmowers, tractors, skid loaders, and ATVs used by parks personnel. The bill would increase base level funding to allow DNR to replace outdated equipment as needed.

6. PARKS TECHNOLOGY UPGRADES

SEG	\$363,800
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Governor: Provide \$181,900 conservation SEG annually, including \$43,700 from the forestry account and \$138,200 from the parks account, to upgrade technology in parks and southern forests. The bill would provide \$152,500 as one-time funding in each year, including \$36,600 from the forestry account and \$115,900 from the parks account, to acquire new credit card readers. The bill would also increase the supplies and services allotment by \$29,400 annually, including \$7,100 from the forestry account and \$22,300 from the parks account, to fund security software licenses for the new credit card readers.

7. PROPERTY-SPECIFIC FUNDING

SEG	\$292,700
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Governor: Increase SEG general operations funding for state parks and recreational areas, southern forests, and wildlife management areas by \$148,200 in 2023-24 and \$144,500 in 2024-25 to provide additional funding for specific properties. The funds would increase LTE salary, fringe benefits, and supplies and services allotments for six properties and would provide one-time financing to construct an entrance sign at Lizard Mound State Park. The following table shows how funding would be allocated to each property under the bill.

Property-Specific Funding

<u>Property</u>	<u>2023-24</u>	<u>2024-25</u>
Lizard Mound State Park	\$21,300	\$17,800
Menominee River State Recreation Area	12,000	12,000
Sauk Prairie State Recreation Area	39,000	39,100
Mazomanie Bottoms State Natural Area	28,000	28,000
Brule River State Forest	17,800	17,800
Ice Age Trail	<u>30,100</u>	<u>29,800</u>
Total	\$148,200	\$144,500

8. FREE FOURTH-GRADE ADMISSION TO STATE PARKS

GPR	\$487,200
SEG	<u>- 487,200</u>
Total	\$0

Governor: Authorize the issuance of a waiver for the annual state resident park and forest vehicle admission fee to the parent or guardian of a Wisconsin fourth-grade student, beginning January 1, 2024. Create a sum-sufficient GPR appropriation equal to the value of the waivers issued in a given fiscal year to be used for parks operations. Estimate GPR parks operations at \$243,600 in each year of the biennium, equal to 8,700 waivers of the normal \$28 annual resident vehicle admission fee. Delete \$175,400 annually for parks operations from the parks account of the conservation fund and \$68,200 annually from the forestry account for forestry operations.

Under the bill, a parent or guardian of a fourth-grade student in a Wisconsin public, private, or home school could apply for a waiver of the annual resident parks vehicle admission fee for a single vehicle, except a motor bus. The bill would require that an application include: (a) the child's

name and date of birth; (b) the name of the school the child is or will be attending, or a certification that the child is in a home-based private education program; (c) a certification that the child is, was, or will be a fourth-grade pupil on the January 1 of the calendar year for which the fee waiver is issued. Evidence of fourth-grade enrollment could include report cards, verified enrollment forms, a dated letter from the school on official letterhead, or other proof DNR may accept. The bill would authorize one fourth-grade fee waiver per household, regardless of how many children are in the family.

[Bill Sections: 352, 607, and 9432(4)]

9. OPEN THE OUTDOORS

SEG	\$330,000
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Governor: Provide \$165,000 annually, including \$39,800 from the forestry account and \$125,200 from the parks account, to provide accessible outdoor recreational facilities and programming in state parks, forests, and recreational areas. The funding would provide \$50,900 annually for LTE salaries and fringe benefits to allow DNR to hire American sign language interpreters to work in state parks. In addition, the bill would provide \$114,100 annually for supplies and services, which would fund accessibility equipment for trails, boat launches, and other parks facilities, as well as to improve signage for visually impaired parks visitors.

10. ONLINE VEHICLE ADMISSION FEES

SEG	\$676,000
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Governor: Create a continuing appropriation from which DNR may pay the costs associated with online sales of parks and forests vehicle admission stickers. Provide \$338,000 conservation SEG annually, including \$94,600 from the forestry account and \$243,400 from the parks account to the appropriation.

Beginning in May, 2020, DNR began offering annual state park admission stickers online through a website called Your Pass Now. Your Pass Now offers resident annual admission stickers, nonresident annual admission stickers, senior citizen annual admission stickers, and reduced-rate admission stickers to persons who also purchase a full-priced admission sticker in the same transaction. Your Pass Now was developed by NIC Wisconsin at no upfront cost to the state. Rather, NIC Wisconsin receives \$1.50 for each transaction processed by the Your Pass Now System. These fees must be paid by DNR through its general operations appropriations. Under current law, the Department does not receive dedicated revenues, such as from statutory issuing fees, for this purpose. In addition to transaction costs, DNR must pay fulfillment fees to DOA for printing and mailing stickers to purchasers.

[Bill Section: 353]

11. EMINENT DOMAIN FOR STATE TRAILS

Governor: Allow DNR and local governments to use condemnation to acquire land for state trails. Current law prohibits state entities from using eminent domain to establish or extend a

recreational trail, bicycle lane, or other bicycle way. Under current law and the bill, any use of condemnation would require approval by appropriate standing committees of the Legislature, as determined by the presiding officer in each house. [See "Transportation -- Local Transportation Assistance."]

[Bill Sections: 571, 606, 609 thru 613, 637, 641, 1155, 1159, 1165, 1166, 1169 thru 1172, 1690, 3387 and 9351(5)]

Forestry and Stewardship

1. PUBLIC FOREST REGENERATION GRANTS

SEG	\$1,335,000
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Governor: Create a grant program for reforestation and forest regeneration on non-DNR public lands, including those owned by local governments, school districts, counties, and state agencies other than DNR. Provide \$667,500 forestry SEG annually, including \$600,000 for grant awards and \$67,500 to hire two LTE to administer the program.

The Administration notes that the public forest regeneration grants would assist local governments in meeting a goal of planting 75 million trees in the state by 2030, which was established by Executive Order 112 in 2021. The grants would support communities to regenerate understories in public forest stands to improve forest health and sustainability. LTEs hired with the funding would provide technical assistance to local governments with tree-planting plans.

[Bill Sections: 368 and 616]

2. TREE PLANTING ON STATE-OWNED LAND

SEG	\$790,000
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Governor: Provide \$395,000 forestry SEG annually for tree-planting projects on state-owned lands. Funding would increase forestry general operations funding for LTE salaries and fringe by \$45,000. The Administration reports that one LTE would be hired to administer tree-planting funds. Additionally, the bill would provide \$250,000 annually for supplies and services, which would be used to prepare DNR-owned farm lands and fields for afforestation. Funding would be used to convert approximately 60 acres of DNR-owned fields and farmland to forest land annually, a process which costs an estimated \$800 per acre. Funding would also be used to conduct intermediate treatments on 500 acres of DNR-owned lands each year. Intermediate treatments are used to tend to a forest after initial tree-stand regeneration but before a stand is ready for harvest. The Administration estimates that these treatments cost \$400 per acre. An additional \$100,000 would be provided for grants to state agencies to prepare lands for afforestation.

3. STATE NURSERY OPERATIONS

	Funding	Positions
SEG	\$627,800	2.00

Governor: Provide 2.0 positions annually and \$286,200 forestry SEG in 2023-24 and \$341,600 forestry SEG in 2024-24 to increase seedling production at state nurseries. Positions would be funded at \$166,200 for salaries and for fringe benefits in 2023-24, and \$221,600 for salaries and for fringe benefits in 2024-25. In addition, the bill would provide \$120,000 annually to purchase supplies for seed and seedling production, such fertilizer, pesticides, and utilities.

DNR's reforestation program operates tree nurseries, at Boscobel, Hayward, and Wisconsin Rapids. The Boscobel nursery produces and distributes seedlings (trees and wildlife shrubs) used for reforestation and conservation purposes. The Hayward and Wisconsin Rapids nurseries are used for tree improvement, reforestation field trials, seed orchard production and breeding, seed processing and storage, and as seedling distribution centers. DOA reports that 1.0 position would be hired to work at the Hayward nursery and 1.0 would be hired at the Wisconsin Rapids nursery.

4. FISH, WILDLIFE AND FORESTRY RECREATION AIDS

SEG	\$256,600
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Governor: Increase funding for fish, wildlife and forestry recreation aids by \$128,300 forestry SEG annually, from \$112,200 to \$240,500. Under the program, counties may apply for grants for the development of wildlife habitat and for outdoor recreational facilities on county forestlands. County funding for habitat projects is limited to 10¢ for each acre registered as county forestland; however, funds that remain unallocated as of March 31 of each year may be allotted to any county, as long as the total received does not exceed 20¢ per acre registered as county forest.

5. URBAN FORESTRY GRANTS

SEG	\$950,000
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Governor: Increase funding for urban forestry grants by \$475,000 forestry SEG in each year of the biennium, from \$524,600 to \$999,600. Under the urban forestry grant program, the Department awards grants to cities, villages, towns, counties, tribal governments and nonprofit organizations for up to 50% of the cost of various projects, including tree management plans, tree inventories, brush residue projects, the development of tree management ordinances, tree disease evaluation, public education relating to trees in urban areas and other related projects. DNR may also award grants under the urban forestry grant program to counties, cities, villages, towns, nonprofit organizations, and tribal governments for the costs of removing, saving, and replacing trees that have been damaged by catastrophic storm events in urban areas.

6. PRIVATE FOREST LANDOWNER GRANT

SEG	\$620,000
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Governor: Provide \$310,000 forestry SEG annually to increase funding for private forest landowner grants. Of this amount \$250,000 would be allocated to private forest landowner grants and \$60,000 would be allocated to weed management area grants, a subprogram of the private forest land owner grant.

The private forest landowner grant program provides grants for the costs of developing and implementing forest stewardship management plans by owners of 500 acres or less of nonindustrial private forest land in the state. Management plans are required to contain practices that protect and enhance: (a) soil and water quality; (b) endangered, threatened or rare forest communities; (c) sustainable forestry; (d) habitat for fish and wildlife; and (e) the recreational, aesthetic and environmental benefits that the forest land provides. Additionally, the program funds weed management area grants, which may be awarded to weed management groups for projects that would respond to and control terrestrial invasive species. DNR administers the programs with grants up to 50% of project costs; by administrative rule, the state share of costs may be up to 75% and not to exceed \$10,000. The programs have base funding of \$1,147,900 in each year of the 2021-23 biennium. The bill would increase this to \$1,457,900 each year.

7. COUNTY SUSTAINABLE FORESTRY AND COUNTY FOREST ADMINISTRATOR GRANTS

SEG	\$500,000
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Governor: Create a new appropriation for county forest administrator grants. County forest administrator grants provide aids to counties for up to 50% of the salary and fringe benefit costs of a county forest administrator or assistant administrator. Under current law, these aids are funded through the same appropriation as county sustainable forestry grants. County sustainable forestry grants provide counties with funding to implement sustainable forestry projects on county forestland. The bill would separate these two grants into dedicated appropriations.

Additionally, provide \$50,000 in each year of the biennium for county forest sustainability grants and \$200,000 in each year for county forest administrator grants. Base funding for administrator grants is \$1,285,900. As introduced, the bill would not transfer base funding to the new appropriation. Rather, the bill would set funding for administrator grants under the new appropriation at \$200,000 each year. Base funding for county sustainable forestry grants is \$328,000. The bill would increase the amount available for these grants to \$1,663,900 each year.

[Bill Sections: 363, 369, 614, and 615]

8. FORESTRY OUTREACH

	Funding	Positions
SEG	\$195,000	1.00

Governor: Provide 1.0 position annually and \$84,200 forestry SEG in 2023-24 and \$110,800 forestry SEG in 2024-25 for an outreach officer. The position is intended to develop communications and public relation strategies toward groups that have traditionally had less access to the outdoors and environmental education.

9. FORESTRY PUBLIC SAFETY

SEG	\$957,600
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Governor: Provide \$807,600 forestry SEG in 2023-24 and \$150,000 in 2024-25 to acquire and upgrade fire suppression equipment. The bill would increase the forestry general operations

base budget allotment for supplies and services by \$150,000 annually, as well as provide \$657,600 in one-time funding in 2023-24 to purchase public safety equipment for DNR forestry division employees. Funding would be used to acquire fire shelters, boots, hard hats, automated external defibrillators (AEDs), and other safety equipment.

10. FORESTRY INDUSTRYWIDE STRATEGIC PLAN

SEG	\$775,000
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Governor: Provide \$775,000 as one-time funding in 2023-24 in a new continuing appropriation to conduct a forestry industry strategic plan, including a "road map" to accomplish strategic objectives established by the plan. Funding would support the development of a report, conducted by outside consultants under the guidance of the Council on Forestry, that would identify methods of improving coordination, partnerships, and collaboration in the state's forest products industry. The report would also identify new markets for the state's forest products. The report would be due to the Council on Forestry by September 16, 2024.

[Bill Sections: 356 and 9132(10)]

11. FORESTRY MILL RATE REESTIMATE

Governor: Reestimate the transfer from the general fund to the forestry account of the conservation fund by \$25,958,700 in 2023-24 and by \$19,958,700 in 2024-25. 2017 Act 59 replaced the state forestry mill tax with a sum-sufficient appropriation from the general fund equal to the value of the tax, or 0.1697 mills for each dollar of the assessed valuation of taxable property in the state (16.97¢ per \$1,000). Funds are transferred to the forestry account for the purposes of acquiring, preserving and developing the forests of the state. The bill budgets the transfers at \$141,500,000 in 2023-24 and at \$135,500,000 in 2024-25. [See "Shared Revenue and Tax Relief -- Forestry Mill Rate."]

12. STEWARDSHIP ANNUAL TRANSFER FROM THE FORESTRY ACCOUNT

Governor: Amend two conservation SEG appropriations that fund land acquisition under the Warren Knowles-Gaylord Nelson Stewardship program to limit transfers into the capital improvement fund such that the amount held in the fund for the stewardship program is no more than \$8,000,000 in a given year. 2021 Act 58 reauthorized the stewardship program for a four-year period, beginning in 2022-23. The Act authorized DNR to obligate up to \$33.25 million annually, including \$25.25 million in bonds, which may be used for property development, local assistance, Ice Age Trail land acquisitions, and recreational boating aids.

Additionally, \$8 million, including \$5 million for Department land acquisitions and \$3 million for grants to counties to acquire forestland, is transferred each year from forestry SEG to the capital improvement fund. Under Act 58, the transfer must be made regardless of the amounts obligated under each land acquisition subprogram. The bill specifies that no more than \$8 million may be held in the capital improvement fund subaccount for the stewardship program. The annual transfer from each appropriation would be reduced proportionally so that no more than \$8 million

is held within the stewardship subaccount in a given year.

[Bill Sections: 366, 367, 574 and 575]

13. STEWARDSHIP REVIEWS BY JOINT COMMITTEE ON FINANCE

Governor: Increase the threshold for Joint Committee on Finance review of stewardship grants and acquisitions from \$250,000 to \$500,000. In addition, repeal the requirement that all projects north of Highway 64 be subject to review.

Under current law, all stewardship projects of \$250,000 or over, and any fee-simple acquisition north of state Highway 64, are subject to a 14-day passive review by the Joint Committee on Finance. The \$250,000 threshold includes projects or activities that are closely related and would collectively meet the passive review requirement. After DNR has submitted a project request, the Committee has 14 working days to review the request. If, within that time period, the Co-Chairs do not notify DNR that a meeting has been scheduled, DNR may proceed with the project. If the Co-Chairs schedule a meeting, a majority vote is required to approve or amend the proposal.

[Bill Sections: 576 thru 578]

14. STEWARDSHIP PUBLIC ACCESS DIRECTORY

Governor: Repeal the requirement that DNR publish a directory of stewardship public access lands. Under current law, DNR is required to produce a written directory of all publicly accessible stewardship lands at least every two years. The bill would delete this requirement. While DNR would not be required to produce a written directory, a statutory requirement that DNR provide an online searchable map of public-access stewardship lands would not be affected by the bill.

[Bill Sections: 572 and 573]

Fish, Wildlife, and Natural Heritage Conservation

1. INLAND WATERS TROUT STAMP AND TROUT HABITAT DEVELOPMENT

SEG	\$424,800
SEG-REV	\$795,000

Governor: Raise the fee for the inland waters trout stamp by \$5, from \$10 to \$15 (including the 25¢ issuing fee), effective April 1, 2024. The inland waters trout stamp is required of anyone fishing for trout in inland waters. Revenues raised by the inland trout stamp are used to improve and maintain trout habitat and conduct trout surveys in inland trout waters. In 2021-22, sales of the inland trout stamp raised \$1,872,800 in revenue. DOA estimates

that the increased fee would raise revenues to the stamp appropriation by \$795,000 annually once in effect.

Additionally, provide \$227,700 in 2023-24 and \$197,100 in 2024-25 from the stamp appropriation for trout habitat development. This would include \$39,500 in 2023-24 and \$52,700 in 2024-25 to the inland waters trout stamp-funded appropriation to fund 1.0 position that would work on trout stream conservation planning. While funding for the trout development position would be provided to the appropriation, the bill would need to be amended to move 1.0 position from the fish, wildlife and parks general program operations appropriation to the inland water trout stamp-funded appropriation.

Funding would also include \$59,700 annually for LTE salaries and \$44,500 for supplies and services. DOA reports that this funding would be used to hire three LTEs to assist locally-led streambank protection efforts. Provide \$50,000 in 2023-24 as one-time funding to upgrade the Department's streambank protection database.

[Bill Sections: 632 and 9432(5)]

2. GREAT LAKES RESEARCH VESSEL MAINTENANCE

SEG	\$196,000
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Governor: Provide one-time funding of \$196,000 fish and wildlife SEG in 2023-24 for maintenance of DNR's great lakes research vessels. The Department owns three research vessels, located in Lake Michigan, Lake Winnebago, and Lake Superior. The vessels were built in 2010, 1975, and 1946, respectively. They are used to collect data on Great Lakes fish populations that informs DNR's fish stocking efforts. The funding would be used to upgrade electronics, rebuild engines, and perform other maintenance and reconstruction on the ships' bodies. DNR estimates that the funding would extend the useable lives of the ships by between 25 and 40 years.

3. DEER CARCASS DISPOSAL GRANTS

SEG	\$1,100,000
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Governor: Provide one-time funding of \$1,000,000 fish and wildlife SEG in 2023-24 in a continuing appropriation to provide grants to local governments, businesses, or nonprofit conservation organizations for the acquisition of receptacles for the disposal of deer carcasses. Additionally, provide \$50,000 annually in ongoing general program operations funding for educational programming related to chronic wasting disease (CWD).

CWD is a fatal neurological disease in cervids such as deer and elk. The disease is communicable through deformed prions that can pass to other cervids through saliva, urine, or blood. Prions shed by infected animals also are thought to persist in soils, although infectivity and the length of prion viability is still being researched. The provision is intended to provide additional secured options for disposing of a deer carcass and entrails, rather than leaving the carcass at the site of field dressing and risking the spread of prions from infected carcasses or tissues.

[Bill Sections: 364 and 618]

4. NONRESIDENT DEER HUNTING LICENSE

SEG-REV	\$643,800
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Governor: Raise the fee for the nonresident deer hunting license by \$25.00 from \$157.25 to \$182.25, effective April 1, 2024. In addition to the license fee, nonresident deer hunters are assessed the \$2 wildlife damage surcharge and a \$0.75 issuing fee. Under the bill, the total fee for nonresident deer hunting licenses would rise from \$160 to \$185. The Administration estimates that the increased fee would raise an additional \$643,800 for the fish and wildlife account of the SEG conservation fund each year once in effect. In 2021-22, sales of nonresident deer hunting licenses raised \$4,279,000.

Deer hunting licenses are a primary source of revenue to the fish and wildlife account. Resident, nonresident, and reduced rate (such as senior and first-time buyer) deer hunting licenses are deposited in the balance of the fish and wildlife account and fund general account expenditures, such as wildlife program operations and county conservation aids.

[Bill Sections: 631 and 9432(6)]

5. SPORTING LEAD-FREE

GPR	\$50,000
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Governor: Provide one-time funding of \$50,000 in 2023-24 to develop a program to promote the use of lead-free ammunition. The program would focus on communication and outreach. Lead is a toxic metal that can cause developmental delays in people and damage the nervous systems of wild animals. Lead poisoning in animals can often lead to death. In recent years, federal rules have restricted the use of lead shot on federal refuges and for pursuit of certain species of game bird.

6. RESIDENCY VERIFICATION

Governor: Allow Wisconsin residents purchasing hunting and fishing licenses, authorizations, and stamps to prove state residency using an identification card issued by DOT. Under current law, Wisconsin residents pay a lower price for hunting and fishing authorizations than nonresidents. To establish residency, purchasers must show they have maintained a permanent residence in Wisconsin for at least 30 days. Purchasers can demonstrate Wisconsin residency using a Wisconsin driver's license, utility bill, voting records, or income tax records. The bill would expand the categories of proof of residency to a non-driver identification card issued by DOT.

[Bill Section: 617]

7. LAC DU FLAMBEAU APPROVAL FEES

Governor: Amend a tribal gaming PR appropriation for payments to the Lac du Flambeau Band of Lake Superior Chippewa for fishing license approvals sold on the tribe's reservation to allow the appropriation's unencumbered balance to lapse to the general fund on June 30 of each odd-numbered fiscal year. Tribal gaming revenues are allocated to 48 purposes annually. Most

tribal gaming appropriations lapse their unencumbered balance to the general fund at the close of each fiscal year. The bill would amend the Lac du Flambeau license approvals appropriation to allow it to lapse, similar to other tribal gaming appropriations. As of June 30, 2022, the appropriation had an unencumbered balance of \$507,000.

Current law authorizes DNR to remit an amount equal to the fees collected for certain fishing licenses sold within the Lac du Flambeau reservation to non-tribal members on behalf of DNR to the Lac du Flambeau band from tribal gaming PR. However, under s. 29.2295(5) of the statutes, to receive the approval fees, the tribe must have an agreement with DNR that requires the tribe to use the fees only for reservation fishery management, and that limits tribal members' use of off-reservation fishery rights. DNR has not had such an agreement with the tribe since 2013.

[Bill Section: 379]

8. TERRESTRIAL INVASIVE SPECIES GRANTS

SEG	\$1,179,000
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Governor: Create a program to provide grants to cooperative invasive species management areas (CISMAs) for surveying, monitoring, and controlling invasive species. Provide \$560,000 annually to fund the grants in a new conservation SEG annual appropriation. Additionally, provide \$28,000 annually for salary and fringe and \$1,500 for supplies and services to fund one LTE to administer the grants and coordinate with CISMAs.

Terrestrial invasive species include such plants as giant hogweed, garlic mustard, giant knotweed, and poison hemlock. CISMAs are organizations of landowners and land managers that work to develop a management plan to control invasive species within a defined geographical region. CISMAs receive limited operational support from DNR. DNR reports that the grants would provide stable funding and coordination for CISMAs.

[Bill Sections: 365]

9. ENDANGERED RESOURCES MATCH

GPR	\$900,000
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Governor: Raise the statutory cap on donations to the endangered resources program that may be matched with GPR from \$500,000 to \$950,000. Reestimate the match by \$450,000 in each year of the biennium. Revenues to the endangered resources (natural heritage conservation) program accrue primarily from donations from a voluntary income tax check-off program, and from sales of the \$25 endangered resources license plate. Other revenue includes private donations, the sale of resident wild ginseng harvest and Class A resident wild ginseng dealer licenses, sale of wild rice harvesting permits, and revenue from timber harvests in state natural areas. In 2021-22, these sources raised \$1,756,900 and were deposited to the endangered resources account of the conservation fund. Tax check-offs and other contributions are matched with GPR, up to \$500,000.

[Bill Section: 354]

10. WILD RICE RESTORATION AND PUBLIC EDUCATION

GPR	\$400,000
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Governor: Create an appropriation for wild rice restoration in Northern Wisconsin's ceded territory, where tribes have treaty rights to harvest wild rice. Specify that at least \$50,000 each year be used for public education and outreach. Provide \$200,000 annually to fund wild rice stewardship. Wild rice, known as manoomin, is an important staple for many tribes, which harvest the rice for spiritual and cultural purposes. Wild rice harvests diminished in recent years as climate change and habitat destruction have altered the traditional river and wetland habitats for the plant. The funding would be used on public outreach on wild rice conservation efforts, seed purchases, and analysis of replanting efforts.

[Bill Section: 355]

Law Enforcement

1. WARDEN SAFETY EQUIPMENT AND BODY-WORN CAMERAS

GPR	\$9,000
SEG	<u>795,800</u>
Total	\$804,800

Governor: Provide \$402,400 (\$4,500 GPR, \$15,900 environmental SEG, and \$382,000 conservation SEG) annually to purchase and operate body-worn cameras and other safety equipment for DNR law enforcement wardens. The provision would increase base funding to acquire electroshock stun guns (Tasers), automated external defibrillator (AED) units, and other supplies for the Division of Public Safety and Resource Protection (PSRP).

Of the funding provided, \$76,500 (\$4,500 GPR, \$4,100 environmental SEG, and \$67,900 conservation SEG) annually would be used to acquire AEDs. DNR anticipates acquiring 220 AED units over a six-year period. The units have an expected useable life of six years.

Additionally, \$205,800 annually (\$11,800 environmental SEG and \$194,000 conservation SEG) would be used to acquire body-worn cameras. DNR estimates that the cameras cost \$1,900 per year, including hardware, licensing, and data storage costs. The bill, and additional base-level funding, would be used to acquire and operate 176 body-worn cameras.

Thirdly, \$120,100 conservation SEG annually would be used to replace obsolete electroshock stun guns. The following table shows law enforcement equipment funding by between funding sources and PSRP functions.

Annual Warden Safety Equipment and Body-Worn Camera Funding Summary

<u>Fund Source/ Resource Area</u>	<u>AEDs</u>	<u>Body-Worn Cameras</u>	<u>Tasers</u>	<u>Subtotal</u>
GPR	\$4,500			\$4,500
SEG				
Environmental Fund	\$4,100	\$11,800		\$15,900
<i>Conservation Fund</i>				
Boat Enforcement	\$9,900	\$19,800		\$29,700
Fish and Wildlife	45,300	136,300	\$100,100	281,700
ATV/UTV	3,000	8,500		11,500
Water Resources	700	2,100		2,800
Parks	6,100	18,400	13,500	38,000
Forestry	<u>2,900</u>	<u>8,900</u>	<u>6,500</u>	<u>18,300</u>
<i>Conservation Subtotal</i>	\$67,900	\$194,000	\$120,100	\$382,000
SEG Total	\$72,000	\$205,800	\$120,100	\$397,900
All Funds Total	\$76,500	\$205,800	\$120,100	\$402,400

2. WARDEN OVERTIME

SEG	\$207,600
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Governor: Provide \$68,700 (\$6,700 environmental SEG and \$62,000 conservation SEG) in 2023-24 and \$138,900 (\$13,500 environmental SEG and \$125,400 conservation SEG) for overtime costs for DNR wardens. Under standard budget adjustments each budget cycle, funding associated with overtime and night and weekend differential is removed in the calculations of full funding of salaries and fringe benefits. The budget instructions related to overtime specify that the same dollar amounts only be restored through the standard budget adjustment for overtime. The bill would provide sufficient funding for 42,100 hours of warden overtime, paid at wage rates that will be earned by DNR wardens in the 2023-25 biennium.

3. LAW ENFORCEMENT OFF-ROAD VEHICLE MODERNIZATION

SEG	\$338,600
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Governor: Provide \$194,300 conservation SEG annually to acquire and upgrade off-road vehicles for DNR wardens. \$112,700 annually would be appropriated for snowmobile acquisition and \$81,600 would be appropriated for ATV acquisition. DNR reports that these amounts would fund the purchase of seven snowmobile and eight ATVs each year, based on 2023 prices. DNR wardens share responsibility for enforcing snowmobile and ATV laws with local snowmobile and ATV patrols.

PSRP owns 102 snowmobiles and 88 ATVs. Of these, 44 snowmobiles and 42 ATVs were acquired before 2015. DNR allots \$130,000 annually from law enforcement base budgets to replace outdated off-road vehicles. DNR reports that the cost of replacing these vehicles has grown

significantly in recent years.

4. TRANSFER SNOWMOBILE ENFORCEMENT FROM TRIBAL GAMING REVENUES

	Funding	Positions
PR	-\$2,619,000	- 9.00
SEG	<u>2,619,000</u>	<u>9.00</u>
Total	\$0	0.00

Governor: Repeal the tribal gaming PR appropriation for snowmobile enforcement. Delete \$1,309,500 and 9.0 positions annually. Provide \$1,309,500 and 9.0 positions annually in the conservation SEG snowmobile enforcement appropriation. The provision is part of a reallocation of tribal gaming revenues to other programs intended to benefit tribal communities. [See "Administration -- Division of Gaming."]

[Bill Sections: 357, 514, and 2787 thru 2789]

Waste, Remediation, and Air

1. PFAS MUNICIPAL GRANT PROGRAM

GPR	\$85,000,000
SEG	<u>15,000,000</u>
Total	\$100,000,000

Governor: Provide \$85 million GPR in 2023-24 and \$15 million environmental management SEG in 2024-25 in continuing appropriations for the creation of a grant program for municipalities to investigate and respond to per- and polyfluoroalkyl substances (PFAS) contamination statewide. PFAS are synthetic chemicals commonly found in nonstick surfaces and cookware, paint, and firefighting foam. Research and studies indicate that PFAS are toxic to humans. PFAS do not easily degrade and tend to accumulate in humans and the environment. Since 2013, numerous sites have shown to have PFAS contamination in groundwater, drinking water, surface water, sediment, or soil as a result of various private and governmental uses of the chemicals.

Municipality Eligibility. Specify that eligible municipalities include any city, village, town, county, tribal government, utility district, lake protection district, sewerage district, or municipal airport, and require one of the following to have occurred: (a) the municipality or a third party tested or trained with a class B firefighting foam that contained intentionally added PFAS in accordance with applicable state and federal law, and within the boundaries of the municipality; (b) the municipality applied bio-solids to land under a DNR-issued wastewater permit; or (c) PFAS are impacting the municipality's drinking water supply, surface water, or groundwater within the area controlled by the municipality, and the responsible party is unknown, unwilling, or unable to take the necessary response actions. Require applicants to contribute matching funds equal to at least 20% of the amount of the grant, including either cash or in-kind contributions.

Eligible Activities. Authorize DNR to award grants for any of the following activities: (a) investigating potential PFAS impacts to the air, land, or water at a site or facility; (b) treating or

disposing of PFAS-containing firefighting foam containers from a municipal site or facility; (c) sampling a private water supply within three miles of a site or facility known to contain PFAS or to have caused a PFAS discharge; (d) providing a temporary emergency water supply, a water treatment system, or bulk water to replace water contaminated with PFAS; (e) conducting emergency, interim, or remedial actions to mitigate, treat, dispose of, or remove PFAS contamination in the air, land, or waters of the state; (f) removing or treating PFAS in a public water system using the most cost-effective method to provide safe drinking water in areas where PFAS levels exceed either the maximum contaminant level or an enforcement standard for PFAS, or where the state has issued a health advisory for PFAS; and (g) sampling and testing in schools and daycares.

Evaluation Criteria. DNR would be required to consider the following: (a) a municipality's demonstrated financial and administrative commitment to performing and completing eligible activities; (b) the degree to which the project would have a positive impact on public health and the environment; and (c) other criteria on which DNR prioritizes available grant funds. Authorize DNR to request any applicant provide information necessary to determine the eligibility of the project, identify the funding requested, determine the priority of the project, and calculate the amount of a grant.

Emergency Rules. Authorize DNR to issue emergency rules for the PFAS municipal grant program, without the finding of emergency or providing evidence that an emergency rule is necessary to preserve public health, peace, safety or welfare. Waive the requirements that DNR prepare a scope statement and submit proposed emergency rules to the Governor.

[Bill Sections: 372, 374, 2671, and 9132(7)]

2. PFAS MANAGEMENT STAFFING

Governor: Provide \$729,400 in 2023-24 and \$934,200 in 2024-25 with 11.0 positions to remediate and manage PFAS.

	Funding	Positions
SEG	\$1,663,600	11.00

The following table summarizes positions recommended by the Governor by DNR program area. All positions shown would be funded from the environmental management account of the environmental fund, except those for wildlife management, which would be supported by the fish and wildlife account of the conservation fund.

PFAS Management Positions and Funding

<u>DNR Program / Positions</u>	<u>2023-24</u>	<u>2024-25</u>	<u>Positions</u>
Drinking and Groundwater			
Water Supply Specialists	\$176,900	\$226,200	3.00
Water Quality			
Wastewater Specialists	125,600	164,400	2.00
Air Management			
Air Management Engineer / Air Management Specialist	175,700	214,600	2.00*
Remediation and Redevelopment			
Hydrogeologist Program Coordinator / Hydrogeologist	125,600	164,400	2.00
Waste and Materials Management			
Hydrogeologist	62,800	82,300	1.00
Wildlife Management			
Toxicologist	<u>62,800</u>	<u>82,300</u>	<u>1.00</u>
Total	\$729,400	\$934,200	11.00

* Includes 1.0 four-year project position.

The Administration indicates that the 11.0 staff would have the following responsibilities: (a) 3.00 drinking and groundwater staff would sample and address contaminants in drinking water and develop and implement federally-compliant administrative rules relating to PFAS regulation; (b) 2.00 water quality staff would develop water quality standards for PFAS based on Department of Health Services recommendations and assist in PFAS effluent monitoring; (c) 2.00 air management staff would identify sources of PFAS air emissions and operate the state's ambient air deposition monitoring network to monitor for PFAS; (d) 2.00 remediation and redevelopment staff would develop guidelines for PFAS sampling and establish standard procedures related to sampling, lab analysis, site screening, and cleanup standards; (e) 1.00 waste and materials management position would develop safe disposal and treatment methods for PFAS-containing wastes and evaluate landfills for potential waste disposal; and (f) 1.00 wildlife management position would develop PFAS sampling methodologies for wildlife, educate local communities impacted by PFAS in wildlife, and coordinate with DHS to establish health advisories for consumption of PFAS-impacted wildlife.

3. STATEWIDE PFAS SAMPLING AND TESTING

SEG	\$2,210,000
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Governor: Provide \$1,480,000 in 2023-24 and \$730,000 in 2024-25 for statewide PFAS sampling and testing. The Administration indicates the following intended uses of the funds: (a) \$600,000 each year for investigation, mitigation, and testing for PFAS and other emerging contaminants on properties where responsible parties cannot be identified, refuse to take timely action, or where contaminants pose an active threat to human health; (b) \$750,000 in 2023-24 for well sampling and testing; (c) \$55,000 each year to survey and analyze 44 large rivers across the state and their watersheds for PFAS; (d) \$50,000 in each year to collaborate with the University of Wisconsin-Madison and nearby states to identify sources of PFAS, impacted waterways, and possible fish consumption concerns for vulnerable populations; and (e) \$25,000 each year to sample wastewater where PFAS is suspected.

4. PFAS SUBSTANCE EMERGENCY MEASURES

SEG	\$1,800,000
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Governor: Provide \$900,000 annually to support PFAS emergency measures. The Administration indicates that funding would be used to distribute bottled water or other alternative water supplies to communities impacted by PFAS contamination in drinking water.

5. PFAS-CONTAINING FIREFIGHTING FOAM DISPOSAL

SEG	\$1,000,000
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Governor: Provide \$1,000,000 in one-time funding in 2023-24 for the second phase of disposal and cleanup of PFAS-containing firefighting foam. 2021 Act 58 created a continuing appropriation and provided \$1 million for phase one, which involved contracting with a vendor to collect and dispose of foams from fire departments throughout the state. The Administration indicates that phase two would involve DNR establishing an up-to-date registry of PFAS-containing firefighting foam inventory. Additionally, the bill would direct a portion of the funds to support local fire departments in purchasing non-PFAS-containing foams. DOA reports that the \$1 million provided by Act 58 is anticipated to be fully encumbered by June 30, 2023.

[Bill Section: 362]

6. PFAS STANDARDS

Governor: Require DNR to promulgate emergency rules to establish acceptable levels, performance standards, monitoring requirements, and required response actions for PFAS. Require rules to apply to any per- or polyfluoroalkyl substance, or group or class of substances, that DNR determines are harmful to human health and the environment in the following media: (a) drinking water; (b) surface water from both point sources and nonpoint sources; (c) groundwater; (d) air, if necessary to provide adequate protection for public health and welfare; (e) solid waste and solid waste facilities; (f) beds of navigable waters; and (g) soil and other sediment.

In addition, require DNR to promulgate emergency rules to do the following: (a) add individual substances or classes of PFAS to the list of toxic pollutants in water for setting state effluent standards under the Wisconsin pollutant discharge elimination system for wastewater, provided DNR determines the substance or class to be harmful to human health; (b) identify and list PFAS as a hazardous waste constituent, provided DNR determines the listing necessary to protect human health, safety, or welfare; and (c) administer and enforce requirements under Chapter 292 of the statutes, related to remedial cleanup of hazardous substance discharges, for PFAS discharges to the environment.

Require rules described above to include sampling, monitoring, testing, enforcement, and response provisions for at least the following substances: perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), and perfluorobutane sulfonic acid (PFBS). Specify DNR may promulgate emergency rules without finding of emergency or providing evidence the rule is necessary to preserve public health and welfare. Specify emergency rules remain in effect until July 1, 2024, or the date on which permanent rules take effect, whichever is sooner.

Groundwater Contaminants List. Require DNR to add to the state list of groundwater contaminants any individual PFAS or class of PFAS shown to involve public health concerns and that has a reasonable probability of entering the groundwater. By statute, any substance added to the state list of groundwater contaminants is assessed for risks to public health or welfare. The Department of Health Services (DHS) and DNR then must establish an enforcement standard and preventive action limit for each substance. Enforcement standards generally represent the maximum level of contamination to which the public can be exposed; remedial responses are required if groundwater exceeds an enforcement standard. Preventive action limits by statute are between 10% and 50% of the enforcement standard, and are levels at which contamination could be investigated and mitigated to prevent an enforcement level exceedance.

Additionally, the bill would authorize DHS to recommend enforcement standards for each individual PFAS, PFAS as a class of substances, or different groups of PFAS. If DHS were to recommend an enforcement standard for PFAS, DNR would be required to apply the standard as an interim enforcement standard, unless emergency or permanent rules implemented an enforcement standard for the same substances. Further, if an interim enforcement standard were applied, DNR would be required to establish an interim preventive action limit of 20% of the concentration of the interim enforcement standard.

Further, the bill would require DNR to establish a DHS-recommended enforcement standard for an individual PFAS or class of PFAS as an interim maximum contaminant level (MCL) for public water systems, water suppliers, and certified laboratories analyzing drinking water, unless emergency or permanent rules had taken effect. This would take effect on the first day of the seventh month beginning after the bill's publication. Under current law, no water source exceeding any primary MCL may be connected to a public water system.

Water Quality Standards. Require DNR to promulgate water quality standards for PFOA, PFOS, PFHxS, PFNA, and PFBS, in addition to any other individual PFAS or class of PFAS that DNR determines is harmful to human health, and from which it is necessary to protect a water's designated use. Water quality standards are established by DNR to describe conditions under which state waters can fulfill designated uses such, including those supporting fish, wildlife and human domestic, commercial or recreational activities.

Air Standards and Emissions Reporting. Create a finding that PFAS emissions standards are required to provide adequate protection of public health and welfare. (The finding would be inconsistent with nonstatutory language under the provision giving DNR discretion to determine whether air standards were necessary to protect public health. A modification to the bill would clarify the provision's intent.) Require DNR to promulgate emissions standards for any known PFAS to adequately protect public health, but specify DNR is to account for energy, economic, and environmental impacts or other costs affecting emissions sources.

Further, require DNR to consider all PFAS as air contaminants for purposes of required reporting of certain hazardous substance or air contaminant discharges in Wisconsin. Establish the reporting level of zero pounds per year, meaning any emissions would be subject to reporting. The bill would direct DNR to establish procedures for determining financial responsibility for PFAS contamination.

[Bill Sections: 2321 thru 2323, 2643, 2665, 2673, 9132(3) thru (5), and 9432(2)]

7. CERTIFIED PFAS TESTING LABORATORIES

Governor: Require DNR to issue emergency rules for certifying laboratories that test for PFAS, including standards and methods for testing. Rules would remain in effect until July 1, 2024, or the date on which permanent rules take effect, whichever is sooner. Specify that DNR is not required to make a finding of an emergency, and is not required to provide evidence that emergency rules are necessary for the protection of public health, safety, or welfare. Specify that DNR may require testing for PFAS using nationally recognized procedures prior to emergency rules being issued.

[Bill Section: 9132(6)]

8. FINANCIAL RESPONSIBILITY FOR PFAS

Governor: Authorize DNR to require proof of financial responsibility from individuals or businesses that possess or control PFAS. Financial responsibility would be intended to ensure means of addressing potential discharges or contamination, including emergency responses, remedial action, and long-term care of contaminated sites. Require DNR to establish rules for procedures to determine when proof of financial responsibility is necessary. Specify that rules may establish types of financial responsibility, procedures for calculating necessary amounts, and other conditions determined by DNR. Specify proof of financial responsibility for PFAS is in addition to any other requirements provided under Chapter 292 of the statutes (environmental remedial action).

[Bill Section: 2672]

9. HAZARDOUS SUBSTANCE DISCHARGE INVESTIGATIONS

Governor: Authorize DNR to request, from an individual or business that generated a solid or hazardous waste at a site under DNR investigation, any records or documents related to waste that was transported to, treated at, stored at, or disposed of at another site, facility or location. Records or documents may include information on: (a) the type and quantity of waste generated; (b) the site or facility to which it was transported, treated, or stored; and (c) the dates and locations of the aforementioned activities.

Currently, the state environmental repair law under s. 292.31 of the statutes authorizes DNR to request, and requires persons to provide, information regarding wastes or discharges at sites under investigation for environmental contamination. Such investigations are intended to determine the nature and extent of contamination and the identity of potentially responsible parties. The bill would amend current authority to include investigations of solid or hazardous wastes that were moved to other sites.

[Bill Sections: 2667 and 2668]

10. BAN ON COAL TAR-BASED SEALANTS

Governor: Beginning January 1, 2024, prohibit the sale of coal tar-based sealant products and sealant products containing more than 0.1% polycyclic aromatic hydrocarbons (PAHs) by weight. Additionally, prohibit the use of these products beginning July 1, 2024. Authorize DNR to grant exemptions for research on the effects of a coal tar sealant or high-PAH sealant, or for a person developing an alternative technology if prohibited compounds are required for research or development.

[Bill Section: 2674]

11. CREATE REVITALIZE WISCONSIN PROGRAM AND ELIMINATE DRY CLEANER ENVIRONMENTAL RESPONSE PROGRAM

	Funding	Positions
SEG	\$8,180,500	1.00

Governor: Create a program known as Revitalize Wisconsin to provide grants to local governments and private parties to address properties contaminated by the discharge of hazardous substances. The provision would also eliminate the current dry cleaner environmental response program (DERP) while incorporating reimbursement for cleanup of dry cleaning sites in the new program. The paragraphs below describe the program changes in greater detail.

Revitalize Wisconsin

Program Eligibility. Authorize the Department to award aids for the following types of contaminated sites: (a) brownfields; (b) sites owned by local governments, and that were acquired through such means as tax delinquency, condemnation, blight clearance, or certain other acquisitions; (c) persons with property affected by an off-site discharge; or (d) lenders who acquired a contaminated property through enforcement of a security interest (foreclosure).

Also, provide that DNR may award funds to sites being remedied under the state spills law, and owned by the following private parties who acquired a contaminated property through an arms-length transaction: (a) a bank, trust company, or credit union; (b) a developer; (c) a nonprofit or for-profit business; or (d) an innocent landowner. An innocent landowner would be an owner that acquired the property prior to November 1, 2006, has continuously owned the property, and can demonstrate or document either of the following: (a) that the discharge or environmental pollution on the property was caused by another person and that the property owner did not know, and had no reason to know, of the discharge or environmental pollution when the owner acquired the property; or (b) that the property owner conducted all appropriate inquiries as specified under federal law prior to acquisition, that the discharge or environmental pollution on the property was caused by another person, and that the property owner did not know and had no reason to know of the discharge or environmental pollution when the owner acquired the property.

Limit aids to recipients who did not cause a discharge of a hazardous substance, except for aids that may be provided to sites for which the owner or operator applied for assistance under the DERP before its repeal. (The DERP is discussed in a separate section.) Specify DNR aids may be grants, direct services, or, in the case of DERP-eligible sites, reimbursements for cleanup.

Eligible Costs. Eligible activities for grants under the program would include: (a) assessment and investigation of a discharge or environmental pollution; (b) interim and remedial actions to remove hazardous substances from contaminated media; (c) treatment and disposal of contaminated media; (d) vapor intrusion assessment and mitigation; (e) removal of abandoned containers under Chapter 292 of the statutes; (f) asbestos abatement activities conducted as part of redevelopment activities; (g) environmental monitoring; (h) restoration of a private potable water supply; (i) removal of underground substances or petroleum product storage tanks; (j) preparation of documentation to apply for case closure; and (k) other costs as determined by DNR.

Specify that DNR may not award aid to an applicant under the Revitalize Wisconsin program for any of the following: (a) cost of activities conducted prior to award of aid; (b) cost of activities that the department determines are not integral to the investigation and remediation of a discharge; or (c) legal fees or investigations conducted outside Wisconsin.

Specify that DNR may require an applicant to provide a match, either in cash or in kind, for any aid that is awarded under the program. Specify that activities for which aid may be provided include: (a) removing hazardous substances from contaminated media such as surface waters, groundwater, or soil; (b) investigating and assessing the discharge or environmental pollution; (c) removing abandoned containers; (d) asbestos abatement; and (e) restoring or replacing a private potable water supply. Allow DNR to inspect all applicant documents if such documents are relevant to the financial assistance application.

Funding. Create a biennial appropriation and provide base funding of \$3,000,000 environmental management SEG for aids and other payments to pending DERP claims, as described in a separate section. Require DNR to designate 15% of funds appropriated for aid to small or disadvantaged communities. Limit awards to one per site or facility in a fiscal year, except for DERP claims.

Additionally, create a biennial appropriation with \$3,000,000 environmental management SEG in 2023-24 and \$500,000 beginning in 2024-25 for removing waste materials from abandoned properties, and for sampling and testing properties to assess risks of damage to the public health or environment. Provide \$62,800 in 2023-24 and \$82,300 in 2024-25 from environmental management SEG with 1.0 permanent position for creation and administration of the Revitalize Wisconsin program, and also provide \$31,300 annually for limited-term employee (LTE) staff salaries and fringe.

Rules. Authorize DNR to promulgate rules to administer the Revitalize Wisconsin program, including: (a) criteria for determining aid; (b) records to be retained by an applicant and the minimum period for retention. Provide that DNR may inspect any document held by an applicant that is relevant to an application for aid.

Dry Cleaner Environmental Response Program

Sunset. Repeal the dry cleaner environmental response program (DERP) and its associated fund and council. Specify fees from dry cleaning operations received under current law are to be deposited to the environmental management account. Additionally, convert 2.0 SEG positions and annual funding of \$228,000 annually for program administration from DERP SEG to

environmental management SEG, and delete \$763,600 each year for DERP cleanup awards.

Claims Backlog. As of January, 2023, there were 53 pending claims, with \$3,065,800 approved for payment and \$264,000 awaiting approval. DNR indicates that diminishing revenues to the fund would likely prevent the program from ever reimbursing the approved claims. The bill would provide that for any fiscal year in which there remain DERP sites awaiting payment of claims submitted by the bill's effective date, DNR is to allocate a portion of the \$3,000,000 annual Revitalize Wisconsin awards appropriation to payment of those claims, up to \$1,000,000 per year. For DERP-eligible sites that have not submitted claims, DNR is to allocate \$450,000 each year from the Revitalize Wisconsin awards appropriation to pay those claims, until DNR determines the sites closed under current law.

This provision also would transfer the DERP's unencumbered balance, and an outstanding loan liability to the land recycling loan program under the environmental improvement fund (EIF), to the environmental management account. The dry cleaner environmental response fund (DERF), which funds the program, had a negative balance as of June 30, 2022, mostly attributable to a loan issued in 2008 from the land recycling loan program. The loan may not be forgiven. As of June 30, 2022, \$13,000 in principal had been repaid and \$5,900 in interest from the DERF to the EIF. A total of \$522,100 in interest has accrued, and \$6,709,100 is outstanding on the loan. The bill would provide authority to the Secretaries of DNR and DOA to ensure any repayment required to the EIF.

[Bill Sections: 73, 350, 359, 373, 375, 376, 380, 528, 585, 599, 601 thru 603, 1646, 2669, 2670, and 9232(1)]

12. BONDING FOR GREAT LAKES CONTAMINATED SEDIMENT REMOVAL

BR	\$15,000,000
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Governor: Increase bonding authority by \$15,000,000 for removing contaminated sediments in Lake Michigan, Lake Superior, and their tributaries. Since 2007, DNR has been authorized \$40 million in contaminated sediment bonding authority, including \$4 million provided by 2021 Act 58. Of these amounts, DNR has committed \$36.3 million as of February, 2023. Funding under the provision would support a portion of approximately \$40.3 million in additional priority state funding obligations identified for remediation in the Portage Canal, Milwaukee Estuary, Sheboygan River, St. Louis River, and Lake Superior.

Debt service for contaminated sediment bonding is supported by environmental management SEG. The bill estimates this debt service at \$1.9 million in 2023-24 and \$2.0 million in 2024-25.

[Bill Section: 549]

13. NON-METALLIC MINING APPROPRIATION

PR	\$400,000
SEG-REV	-\$400,000

Governor: Create a continuing, all-monies-received program

revenue appropriation in which to deposit nonmetallic mining fees. Estimate monies received at \$200,000 annually. Direct all monies received from nonmetallic mining fees to be used for the administration and enforcement of the state's nonmetallic mining regulations. Under current law, fees relating to nonmetallic mining are deposited into the segregated environmental fund, to be used for environmental management activities generally.

[Bill Sections: 361, 378 and 600]

14. AIR MANAGEMENT PROGRAM POSITION TRANSFERS

	Funding	Positions
PR	- \$1,792,200	- 8.75
SEG	<u>1,792,200</u>	<u>8.75</u>
Total	\$0	0.00

Governor: Transfer 8.75 positions and \$896,100 PR funded by operation permit fees for federally-regulated (Title V) stationary air pollution sources to environmental fund SEG. The positions to be transferred are those budgeted for Division of Environmental Management administration, enforcement and other all-agency programs, on the basis of staffing associated with the federal operation permit program. The administration indicates permit fee revenues from federally-regulated sources are insufficient to fund all currently authorized positions. The positions and funding to be moved from PR to SEG are summarized in the following table.

Air Program Position Transfers

<u>DNR Program</u>	<u>Funding</u>	<u>Positions</u>
Environmental Management Administration	\$249,200	2.00
Enforcement	117,300	1.00
External Services		
Customer Services	226,700	3.25
Environmental Analysis and Sustainability	300,400	2.50
Communications	<u>2,500</u>	<u>0.00</u>
Total	\$896,100	8.75

In addition, transfer 3.0 PR vacant air management positions and \$228,900 PR from the appropriation for federally-regulated sources to the appropriation for state-regulated sources. Additionally, transfer 1.0 PR vacant air management position and \$77,800 PR from the appropriation for federally-regulated sources to the PR appropriation for asbestos management. Finally, transfer 1.0 FED vacant position and \$77,800 FED from air management to the safe drinking water loan program. The provision is intended to reallocate positions according to current staffing needs and available funding sources.

15. WASTE MANAGEMENT POSITIONS TRANSFER

Governor: Transfer 3.0 waste management positions and \$360,500 SEG from recycling administration to general operations to better align position funding with assigned duties.

16. LANDFILL FOOD WASTE STUDY

SEG	\$250,000
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Governor: Provide \$250,000 in 2024-25 in one-time funding to support a landfill food waste study. DNR has historically contracted a waste characterization study to determine the contents of state waste in order to better inform policy on recycling and waste management. The most recent study was completed in 2021.

Water Quality

1. WELL COMPENSATION GRANT PROGRAM

GPR	\$1,000,000
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Governor: Provide \$1,000,000 in 2024-25 for well compensation and well abandonment grants. DNR's well compensation grant program provides funding to eligible landowners or renters to replace, reconstruct, or treat contaminated private water supplies that serve a residence or provide water to livestock. The bill would also make changes to program eligibility and awards provisions as described in the following paragraphs.

Eligibility. Change eligibility criteria for the well compensation grant program as follows: (a) increase the annual family income limit to \$100,000 from \$65,000; (b) allow an owner or renter of a transient non-community water supply to apply for a grant; (c) specify that a well producing water containing levels of a per- or polyfluoroalkyl substance in excess of the maximum level set by federal or state law; and (d) specify a well or private water supply that produces water with a concentration of at least 10 parts per billion of arsenic or 10 parts per million of nitrate nitrogen is an eligible contaminated well or contaminated private water supply. A transient non-community water supply is defined as a water system that serves at least 25 persons at least 60 days of the year but that does not regularly serve at least 25 of the same persons over six months per year.

Additionally, repeal the requirement that if a claim is based on contamination by nitrates and not by any other substance, DNR may make a well compensation award only if the well: (a) is used as a source of drinking water for livestock or for both livestock and a residence; (b) is used at least three months of each year and while in use provides an estimated average of more than 100 gallons per day for consumption by livestock; and (c) produces water containing nitrates exceeding 40 parts per million (ppm) nitrate-nitrogen. This would make residential wells with nitrate contamination eligible for the program.

Grant Awards. Further, make the following program changes regarding well compensation grant awards: (a) allow a claimant whose family income is below the state's median income (estimated currently at \$67,100 for a family of four) to receive a grant of up to 100% of eligible project costs, rather than 75% under current law, but not to exceed \$16,000 as under current law; and (b) eliminate the requirement to reduce an award by 30% of the amount by which the claimant's income exceeds \$45,000 if the claimant's family income exceeds \$45,000.

Further, create an exception to the current requirement that DNR must allocate money for

the payment of claims according to the order in which completed claims are received. The exception would specify that if the well compensation grant program has insufficient funds to pay claims, DNR would have discretion to prioritize claims based on nitrate contamination in the following order of priority: (1) claims based on water containing more than 40 ppm nitrate nitrogen; (2) claims based on water containing more than 30 but not more than 40 ppm nitrate nitrogen; (3) claims based on water containing more than 25 but not more than 30 ppm nitrate nitrogen; (4) claims based on water containing more than 20 but not more than 25 ppm nitrate nitrogen; and (5) claims based on water containing more than 10 but not more than 20 ppm nitrate nitrogen.

Under current law, DNR is appropriated \$200,000 environmental management SEG each year in a continuing appropriation for well compensation grants, although \$1,000,000 in additional funding was provided in the 2021-23 biennium on a one-time basis. In 2022, the Governor also allocated federal funding of \$10 million. Well compensation grants would be appropriated a total of \$200,000 in 2023-24 and \$1,200,000 in base funding beginning in 2024-25 under this provision.

[Bill Sections: 370 and 2649 thru 2661]

2. WELL CONSTRUCTION NOTIFICATION FEE

PR-REV	\$320,000
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Governor: Increase the well construction notification fee to \$70. Currently, the fee is set at \$50, and the statutes also require a processing fee of \$0.50. The statutes require that a property owner provides advance notice to DNR before construction of any new private well that is not a high-capacity well. The Administration estimates that the well notification fee would generate approximately \$160,000 annually. Revenues from well notification and other groundwater withdrawal fees are deposited to program revenue appropriations for groundwater administration, research and management.

[Bill Section: 2644]

3. WELL CONSTRUCTION VARIANCES APPLICATION FEE

PR-REV	\$50,000
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Governor: Require DNR to collect a \$100 fee from a person who is requesting a well construction variance. Under Chapter NR 812 of the administrative code, DNR regulates the location and operation of wells for groundwater withdrawal. NR 812 allows variances to these requirements if individuals are not feasibly able to comply. This bill would require DNR to collect a \$100 fee from any individual requiring a variance. The Administration estimates that the variance application fee would generate approximately \$25,000 annually.

[Bill Section: 2645]

4. BALLAST WATER AND COMMERCIAL VESSEL FEES

PR-REV	\$400,000
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Governor: Repeal the requirements that DNR must issue a general permit authorizing a vessel that is at least 79 feet in length to discharge ballast water into state waters, and repeal the

current permit application fee of \$1,200 and annual permit fee of \$345. Require owners or operators of commercial vessels subject to the federal Vessel Incidental Discharge Act to pay \$650 per arrival to ports in Wisconsin. Specify that such fees may not exceed \$3,250 per calendar year, per operator.

Allow DNR to enter into a memorandum of agreement with the U.S. Coast Guard to authorize DNR to board and inspect any vessel to ensure compliance with the federal Vessel Incidental Discharge Act. The Administration estimates that the commercial vessel arrival fee would generate approximately \$200,000 annually, based on an estimated 300 to 310 port arrivals each year. The provision is intended to conform Wisconsin's ballast water enforcement programs with terms of federal changes enacted in the Coast Guard Reauthorization Act (CGRA) of 2018. Among other terms, the CGRA limits the fees states may assess for ships carrying and discharging ballast water discharges, but allows for fees to be adjusted for inflation.

[Bill Sections: 358, 2663, 2675 thru 2677, 9132(8), and 9432(3)]

5. WASTEWATER GENERAL PERMIT STAFFING

	Funding	Positions
GPR	\$113,700	1.00

Governor: Provide \$49,400 in 2023-24 and \$64,300 and 1.0 position for wastewater permit staffing. The Administration indicates that demand for wastewater general permits has increased, necessitating additional staff to improve administrative and compliance monitoring efforts.

6. WATER E-PERMITTING

	Funding	Positions
SEG	\$641,100	1.00

Governor: Provide \$310,800 in 2023-24 and \$330,300 in 2024-25 with 1.0 position for electronic water permitting. The electronic water permitting system allows the public to apply for permits and track permit status. Of the funding provided, approximately \$250,000 each year would be for supplies and services costs of permitting system upgrades. The Administration indicates that DNR lacks dedicated program staff to manage the system, and so the recommended position would be intended to assist customers with questions and application materials, and to satisfy administrative code requirements.

7. WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) VIOLATION NOTICES

GPR	\$96,000
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Governor: Provide \$96,000 in 2023-24 in one-time funding for the creation and maintenance of a notification system for notifying county health and land conservation departments of permit holder violations under the Wisconsin Pollutant Discharge Elimination System (WPDES). Require DNR to provide these notices within seven business days after a violation of a permit condition based on a groundwater protection standard has occurred, and require the notification system to contact counties at least 24 hours before notifying any other parties. Require notice be made to the county in which the violation occurred, as well as any

adjacent county. The provision would take effect six months after the bill's enactment.

Authorize DNR to promulgate emergency rules, without the finding of an emergency, and promulgate permanent rules to establish procedures for providing the notices. Provide emergency rules would remain in effect until July 1, 2025, or the day permanent rules take effect, whichever is sooner.

[Bill Sections: 2664, 9132(11), and 9432(7)]

8. WINNEBAGO LAKE SYSTEM STAFFING

	Funding	Positions
SEG	\$256,400	2.00

Governor: Provide \$109,900 in 2023-24 and \$146,500 in 2024-25 with 2.0 positions to increase staffing for Lake Winnebago local lake protection and restoration efforts, including water quality and habitat improvement projects. Duties of the positions would include oversight of breakwall projects, water level management, and bird and waterfowl management.

9. CONCENTRATED ANIMAL FEEDING OPERATION FEES

PR-REV	\$138,000
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Governor: Increase the fee paid by Wisconsin pollutant discharge elimination system (WPDES) permit holders that operate concentrated animal feeding operations (CAFOs) from \$345 annually to \$545 annually. It is estimated the proposal would increase CAFO fee revenue by approximately \$69,000 annually, for a total of \$376,000 in fees over the biennium.

DNR is responsible for regulating CAFOs as point sources of discharges with WPDES permits issued under s. 283.31 of the statutes. Permits are issued with five-year terms, and DNR reports 336 permitted CAFOs in Wisconsin as of February, 2023. Fees are deposited into a program revenue appropriation supporting staff and operation costs associated with CAFO regulation.

[Bill Section: 2662]

10. WATER RESOURCES ACCOUNT LAPSE

Governor: Lapse \$350,000 from the DNR river management appropriation to the balance of the water resources account of the conservation fund in 2023-24. The river management appropriation supports management activities for habitat and recreational projects and environmental and resource management studies on the Mississippi and Lower St. Croix Rivers. The continuing appropriation had an available balance of \$902,000 as of June 30, 2022. The provision is intended to increase the available balance of the water resources account, which had an available balance of approximately \$1 million on June 30, 2022.

[Bill Section: 9232(2)]

11. DAM SAFETY BONDING

BR	\$10,000,000
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Governor: Provide \$10,000,000 in GPR-supported general obligation bonding authority for dam safety grants. No specific estimate of debt service payments is made for the program during the biennium. However, principal and interest on \$10 million in general obligation bonds could be expected to total approximately \$800,000 annually, assuming all bonds were issued for 20 years.

DNR administers the municipal dam safety grant program under s. 31.385 of the statutes. The program provides matching grants to counties, cities, villages, towns, public inland lake protection and rehabilitation districts, and other dam owners for the repair, reconstruction, or removal of dams. To qualify for a grant, a dam must be inspected and be under a DNR directive to repair or remove the dam. A total of \$46.1 million in bonding revenues for dam safety grants has been authorized by the Legislature for this program, including \$4 million in each biennium since 2009-11 and \$10 million in 2021-23.

[Bill Section: 550]

12. SHEBOYGAN MARSH DAM

Governor: Require \$500,000 in GPR-supported general obligation bonds for dam repair be awarded to Sheboygan County for removal and reconstruction of the dam on the Sheboygan River at Sheboygan Marsh. 2021 Act 58 directed DNR to award a \$1 million dam safety grant to Sheboygan County for the project. DNR reports that those funds have been encumbered, and Sheboygan County has submitted plans to the DNR, which DNR is currently reviewing.

Sheboygan County estimated total project costs of \$2.7 million in 2021, but is anticipating a \$300,000 increase would be necessary to fulfill original project goals. An additional \$200,000 would provide improvements to fishing and water access. Total anticipated project costs are currently \$3.2 million.

[Bill Section: 9132(12)]

13. DAM LICENSING FEES

PR-REV	\$340,000
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Governor: Require that large dam licensing permit and approval fees be based on the hazard classification of the dam. Under current law, dam licensing fees are set based on the estimated time it will take the Department to review a request. Current fees are set as follows: (a) \$30 for a permit or approval with an estimated time of less than three hours; (b) \$100 for a permit or approval with an estimated time of more than three hours but less than nine hours; and (c) \$300 for a permit or approval with an estimated time of more than nine hours. Also under current law, DNR is required to classify the hazard level of each dam in the state for inspection regulation purposes. The bill would eliminate time-based fees for large dams and require that fees for a permit or approval be based on their hazard classification as follows: (a) \$1,000 for a high-hazard dam; (b) \$500 for a significant-hazard dam; and (c) \$200 for a low-hazard dam. The change would take effect on the first day of the ninth month beginning after the bill's publication.

A dam is considered a large dam if it: (a) has a structural height of 25 feet or more that can impound more than 15 acre-feet of water; or (b) has a structural height of six feet and impounds 50 acre-feet or more of water. DNR classifies each large dam in the state as: (a) high-hazard, the failure of which would probably cause loss of human life; (b) significant-hazard, the failure of which would probably cause significant property damage but would probably not cause loss of human life; or (c) low-hazard, the failure of which would probably not cause significant property damage or loss of human life. DNR is required to inspect each high-hazard dam and each significant-hazard dam at least once every 10 years.

There are approximately 3,900 dams located on waterways in Wisconsin. Of these, 966 are classified as large dams. Currently, 141 dams are classified as high-hazard, 67 are classified as significant-hazard, and 603 are classified as low-hazard. The remaining large dams are regulated by the Federal Energy Regulatory Commission and therefore are not subject to the Department's classification process. Currently, dam permit fees generate approximately \$23,000 in revenue for the Department annually, with permitted activities including operation and maintenance of dams, raising or enlarging dams, abandoning dams, or removing dams. Based on current data, it is estimated that the proposal would increase generated revenue to approximately \$295,100 annually, consisting of \$141,000 from high-hazard dams, \$33,500 from significant-hazard dams, and \$120,600 from low-hazard dams.

[Bill Sections: 635, 636, and 9432(1)]

14. URBAN NONPOINT SOURCE BONDING

BR	\$11,000,000
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Governor: Provide \$11,000,000 in SEG-supported general obligation bonding for the urban nonpoint source and storm water management (UNPS) and municipal flood control and riparian restoration (MFC) programs. Of this amount, DNR intends for \$7.5 million to be allocated for MFC grants. Typically, DNR determines allocations of all new bonding authority to each program, but would retain that flexibility for the remaining \$3.5 million of the new authorization.

The UNPS program supports projects that manage storm water runoff in urban settings. The MFC program supports flood-control and flood-proofing projects in urban settings, including property acquisition and structure removal. Grants generally support cost-sharing of up to 50%. Principal and interest payments on these bonds are supported by the nonpoint account of the environmental fund and are budgeted at \$3.1 million in 2023-24 and \$3.9 million in 2024-25.

[Bill Section: 548]

15. FLOOD MAPPING AND FLOOD INSURANCE STUDIES

SEG	\$2,000,000
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Governor: Provide \$1,000,000 nonpoint SEG each year of the 2023-25 biennium in one-time funding for preparation of flood insurance studies and other flood mapping projects. The DNR Floodplain Mapping Program is currently funded by grants received from the Federal Emergency Management Agency (FEMA). The Department reports that additional funding could

assist counties in pursuing flood mapping projects outside of federal grants.

[Bill Sections: 371 and 9132(9)]

16. GREAT LAKES AND MISSISSIPPI RIVER EROSION CONTROL LOANS

SEG	\$7,000,000
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Governor: Create a continuing appropriation and provide one-time funding of \$7,000,000 from the environmental management account of the environmental fund in 2023-24 fund to support a revolving loan fund for municipalities and homeowners to ensure structural integrity of buildings threatened by erosion of the shoreline of Lake Superior, Lake Michigan, and the Mississippi River. Require DNR to promulgate rules to administer this provision, including establishing eligibility criteria and income limits for loans. Further, allow the Department to promulgate emergency rules while final rules are being drafted, and allow emergency rules to be promulgated without the finding of an emergency. Emergency rules would remain in effect for up to two years, unless repealed or otherwise superseded by permanent rules.

[Bill Sections: 381, 579, 580, and 9132(1)&(2)]

17. RURAL NONPOINT SOURCE BONDING

BR	\$10,000,000
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Governor: Provide \$10,000,000 in SEG-supported general obligation bonding for rural nonpoint source water pollution abatement grants. Bond proceeds support the targeted runoff management (TRM) program and provide the required 70% state cost-share for the installation of structures in rural settings to improve water quality by preventing soil erosion and animal waste runoff. Bonding authority also may be disbursed as grants under a separate program to address runoff only from animal feeding operations that have been issued a notice of discharge or notice of intent to issue a notice of discharge for impermissible runoff to state waters. Principal and interest payments on these bonds are supported by nonpoint SEG and budgeted at \$3.0 million SEG in 2023-24 and \$4.9 million SEG in 2024-25.

[Bill Sections: 547]

18. TARGETED RUNOFF MANAGEMENT

SEG	\$800,000
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Governor: Provide \$400,000 nonpoint SEG each year for additional funding for primarily nonstructural practices or staff costs under targeted runoff management (TRM) grants. TRM grants provide financial assistance to projects addressing water quality concerns or impairments, primarily in rural and agricultural settings and support the implementation of total maximum daily load (TMDLs) in Wisconsin. Funds come from general obligation bonding, nonpoint SEG, and federal funding under Section 319 of the Clean Water Act. Since the 2017-19 biennium, the TRM program has been provided \$100,000 nonpoint SEG each year on an ongoing basis. DNR awarded TRM grants to 16 projects for \$3,859,700 in 2022 and 11 projects for \$3,429,300 in 2023.

19. MANURE TREATMENT COORDINATOR

	Funding	Positions
SEG	\$145,100	1.00

Governor: Provide \$62,800 environmental fund SEG in 2023-24 and \$82,300 in 2024-25 with 1.0 position in the Division of External Services' general program operations appropriation. The position would provide technical and regulatory assistance needed for the permitting of biodigesters and other advanced wastewater treatment systems to manage manure at concentrated animal feeding operations (CAFOs) and other large farms.

20. TOTAL MAXIMUM DAILY LOAD STAFFING

	Funding	Positions
GPR	\$390,100	2.00

Governor: Provide \$169,800 in 2023-24 and \$220,300 in 2024-25 with 2.0 four-year project positions for administration of total maximum daily load (TMDL) plans. TMDL plans are approved by EPA and implemented by requiring all point and nonpoint sources in a watershed, such as agricultural producers, to implement pollution control measures. DNR provides grants for implementation of TMDL plans through the targeted runoff management (TRM) program. TRM grants are currently available to non-TMDL projects, as DNR has yet to develop TMDLs for all waters it has identified as impaired in the state. Additional staff would assist with the development of TMDLs and implementation of TMDL plans.

21. PERMIT PRIMER UPDATE

SEG	\$80,000
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Governor: Provide \$80,000 in 2023-24 from environmental management SEG in the Division of External Services' general program operations appropriation for updating the Department's interactive environmental permitting platform, Permit Primer. The goal of the platform is to assist small business owners, local governments, or others in determining permits they may need and how to acquire them to comply with state environmental laws. Funding would be provided on a one-time basis in 2023-24 and would fund approximately 1,000 hours of IT development work.

The Permit Primer was developed by DNR in 2002 and has lost functionality and interoperability with the Department's current web design protocols, causing webpage traffic to decrease. The Department intends for modernization of the Permit Primer to increase use of the platform, improve permit compliance, and reduce permitting staff workload.

22. OFFICE OF AGRICULTURE AND WATER QUALITY TRANSFERS

Governor: Transfer 1.0 conservation SEG policy analyst position from the Division of Internal Services and 1.0 program director position from communications in the Division of External Services' to watershed management in the Division of External Services, for the creation of the Office of Agriculture and Water Quality. The Office, created in 2022, consolidates some responsibilities from existing DNR programs and offices, such as watershed management, drinking and groundwater, water quality, and the Office of Great Waters, into one office focused on non-

regulatory aspects of agriculture and water quality policy, research, programs, funding, and outreach.

Primary responsibilities include: (a) promoting analysis of major policies addressing agricultural impacts on water; (b) serving as a liaison between other Department offices to help with prioritization and coordination of research, policy, and funding initiatives; (c) serving on the Land and Water Conservation Board; (d) serving as an advisor to the UW Discovery Farms Steering Committee; and (e) serving as the Department's single point of contact for stakeholders engaging in agriculture and water quality issues. The creation of the office, and the provision, requires no change to existing funding levels or position authority within the Department.

23. AQUATIC PLANT MANAGEMENT APPROPRIATION

Governor: Create a program revenue continuing appropriation for the Division of Environmental Management to receive aquatic plant management permit fees, and authorize the Department to expend all monies received for administration of its aquatic plant management program. Under current law, aquatic plant management permit fees are deposited into a general operations appropriation comingled with other program revenues. The bill would not affect fees assessed by DNR, and would not budget expenditure authority for the appropriation during the biennium. Revenues in 2020-21 and 2021-22 totaled approximately \$162,000 and \$174,000, respectively.

Section 23.24 of the statutes requires DNR to conduct efforts to preserve diverse and stable communities of native aquatic plants. DNR is also required to establish, by administrative rule, procedures to issue permits under which a holder may remove aquatic plants through biological, chemical, or manual means.

[Bill Section: 360]

24. STORM WATER MANAGEMENT APPROPRIATION

Governor: Convert the program revenue appropriation for administration and enforcement of storm water discharge permits from an annual sum-certain appropriation to an all-moneys-received continuing appropriation. The appropriation receives fees from storm water discharge permits issued under s. 283.33 of the statutes to commercial and industrial users, large urbanized municipalities, and for transportation facilities and construction sites.

[Bill Section: 377]